

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

VARIANT HOLDINGS, LLC AND VARIANT, INC.

Plaintiffs,

v.

Z RESORTS LLC D/B/A HOTEL ZAZA; Z RESORTS MANAGEMENT, L.L.C. D/B/A HOTEL ZAZA; Z RESORTS, INC. D/B/A HOTEL ZAZA; TRANSFORMATION 5701, L.P. DBA HOTEL ZAZA HOUSTON; GIVENS-RECORDS DEVELOPMENT, LTD D/B/A HOTEL ZAZA DALLAS; ESA P PORTFOLIO L.L.C. D/B/A EXTENDED STAY HOTELS; HVM, LLC D/B/A EXTENDED STAY HOTELS; EXTENDED STAY AMERICA, INC. D/B/A EXTENDED STAY HOTELS; NEXTAG, INC.; PRICE WATCH CORP.; ROSEWOOD HOTEL INVESTMENTS, INC.; ROSEWOOD HOTELS AND RESORTS, L.L.C.; RRCC, L.P. D/B/A ROSEWOOD CRESCENT HOTEL; ROSEWOOD PROPERTY COMPANY D/B/A ROSWOOD MANSION ON TURTLE CREEK; THE CARLYLE, LLC D/B/A THE CARLYLE, A ROSEWOOD HOTEL; STREETPRICES.COM, INC. D/B/A STREETPRICES.COM CORP. D/B/A STREETPRICES.COM; TANGLEWOOD RESORT PROPERTIES, INC. D/B/A TANGLEWOOD RESORT; TRAVELNET SOLUTIONS, INC. AND YELP! INC.

Defendants.

Civil Action No. 2:11-cv-00290-TJW

JURY TRIAL DEMANDED

DECLARATION OF AARON SCHUR
IN SUPPORT OF
MOTION TO SEVER AND TRANSFER

I, Aaron Schur, declare as follows:

1. I am Corporate Counsel at Yelp! Inc, and have served in this position since June 2010. I have personal knowledge of the facts set forth herein, and if called upon to testify, I could and would testify to the statements made herein. I submit this declaration in support of Yelp's Motion to Sever and Transfer.

2. Yelp is headquartered in San Francisco, California.

3. Yelp's management team is primarily located in San Francisco, California.

4. Yelp's maintains its information technology infrastructure, including electronic document storage, from San Francisco.

5. Yelp's engineering and product development personnel are located in San Francisco area and work in Yelp's San Francisco headquarters.

6. I understand that Variant has accused Yelp's website of infringing its patent.

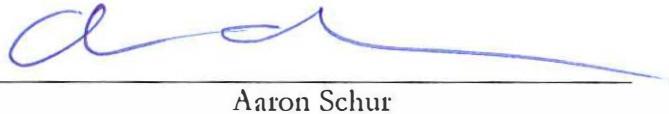
7. Yelp witnesses who would be knowledgeable about Yelp's website would be located in or around San Francisco, California.

8. Yelp documents describing the design and implementation of Yelp's website would be located in or around San Francisco, California.

9. Yelp does not have any offices in Texas.

10. It would be significantly more convenient for Yelp to litigate this matter in the Northern District of California.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 30, 2011 in San Francisco, California.



Aaron Schur